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FILED

JUN 10 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

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15 UNITED STATES OF AMERICA,) No. CR-05-0169 MAG
16 Plaintiff,)
17 v.) STIPULATION AND [PROPOSED]
18 RONALD ROCK,) ORDER TO EXCLUDE TIME AND
19 Defendant.) DEFER PROSECUTION
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21 The parties hereby request that the Court exclude time under the Speedy Trial Act in the
22 above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from May 31, 2005 to December 31,
23 2006 for deferral of prosecution. The parties agree that pretrial diversion is an appropriate
24 disposition in this matter.

25 The United States has referred Mr. Rock to Pretrial Services for an intake evaluation. If
26 Mr. Rock meets the qualifications set forth by Pretrial Services, he will be placed on pretrial
27 diversion for no more than eighteen months. Accordingly, the parties agree that the prosecution
28 will be deferred for an eighteen month period of time for Mr. Rock to demonstrate good conduct

STIPULATION AND [PROPOSED] ORDER TO EXCLUDE TIME AND DEFER PROSECUTION
CR 05-0169 MAG

1 under the conditions of a pretrial diversion program.

2 SO STIPULATED.

3 KEVIN V. RYAN
United States Attorney

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5 DATED: June 3rd, 05

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8 DENEEN A. DILUIGI
Special Assistant United States Attorney

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10 DAVID FERMINO
Attorney for Mr. Rock

11 Based on the stipulation of the parties and for good cause shown, IT IS HEREBY
12 ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2)
13 from May 31, 2005 to December 31, 2006 for deferral of prosecution by the United States for the
14 purpose of allowing the defendant to demonstrate good conduct under the conditions of a pretrial
15 diversion program.

16 DATED: 6/6/05

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ELIZABETH D. LAPORTE
United States Magistrate Judge